

c.) Amendments to the Claims

The following claims are shown as modified, with markings to indicate the modifications.

7. (Currently Amended) The pill splitter of claim [[6]] 19, wherein the cutting blade assembly is disposed directly below the bed.

1-6 (Cancelled)

8. (Withdrawn from Consideration) A method for splitting a pill in quarters comprising the steps of :

forming a bed having a recess formed within in a pill splitter, the recess having a cross section which substantially conforms to the pill shape; and

disposing a thin, cruciate cutting blade assembly, in proximity to the bed.

9. (Withdrawn from Consideration) The method of claim 1, further comprising:

forming an upper compression member moveable with respect to the cutting blade assembly in the pill splitter; and

forceably engaging the upper compression member against a pill disposed in the bed recess.

10. (Withdrawn from Consideration) The method of claim 2, whereby the cruciate cutting blade assembly further comprises a first blade having a thickness and a second blade at a substantially right angle relative to the first blade, and offset from the first blade by a distance approximately equal to the thickness of the first blade.

11. (Withdrawn from Consideration) The method of claim 3, wherein the pill splitter further comprises:

a lower body further comprising the cutting blade assembly;

an upper body, integrally affixed to the lower body, and containing one or more linear plunger guides slots; and

a plunger, further comprising plunger guides which slidingly engage said plunger guide slots, wherein the compression member is integrally formed at a lower end of the plunger.

12. (Withdrawn from Consideration) The method of claim 4, wherein the bed is substantially cylindrical.

13. (Withdrawn from Consideration) The method of claim 10, further comprising forming guide tabs for aligning the recess in the bed with the cutting blade, wherein the guide tabs matingly engage the guide tabs with said linear plunger guide slots of the upper body.

14. (Withdrawn from Consideration) The method of claim 6, further comprising disposing the cutting blade assembly directly below the bed.

15. (New) A quartering pill splitter comprising:

- (a) a substantially cylindrical bed comprising guide tabs and having a recess formed within having a cross section which substantially conforms to the pill shape;
- (b) a thin, cruciate cutting blade assembly disposed in a lower body, in proximity to the bed, and further comprising a first blade having a thickness and a second blade at a substantially right angle relative to the first blade, and offset from the first blade by a distance approximately equal to the thickness of the first blade, and both blades comprising cutting edges,

(c) an upper body, integrally affixed to the lower body, and containing one or more linear plunger guides slots in which the guide tabs are engaged, aligning the bed thereby; and

(d) a plunger, further comprising

plunger guides which slidingly engage the plunger guide slots; and
a compression member formed at a lower end of the plunger, the
compression member having a pointed lower edge which remains parallel
to the first blade as it slides,

so that when the plunger is suddenly and forcibly slid toward the pill, the pill is first sheared between the compression member and the first blade, and then shears parallel to the second blade.

16. (New) The pill splitter of claim 15, wherein the upper body, lower body, and pill bed are all cylindrical.

17. (New) The pill splitter of claim 16, wherein the cutting blade assembly is disposed directly below the bed.

18. (New) A quartering pill splitter comprising:

(a) a pill bed having a recess having a cross section formed within which substantially conforms to the pill shape;

(b) a thin, cruciate cutting blade assembly affixed in a lower body, in proximity to the bed, and further comprising a first blade having a thickness and a second blade at a substantially right angle relative to the first blade, each blade having a cutting edge, and the second blade offset from the first blade by a distance approximately equal to the thickness of the first blade,

- (c) an upper body, containing one or more linear plunger guides slots; and
- (d) a plunger, further comprising an upper compression member which slides with respect to the cutting blade assembly, said compression member having a linear, pointed edge which slidingly engages the first blade parallel to its cutting edge, so that when the plunger is suddenly and forcibly slid toward the pill, the pill is first sheared between the compression member and the first blade, and then shears parallel to the second blade.

19. (New) The pill splitter of claim 18, wherein the pill bed further comprises alignment tabs which engage the guide slots, aligning the bed thereby.

(d) Comments

Claim 15 has been added in accordance with the suggestions of the Examiner, and is the first new independent claim.

Claim 18 is a new independent claim which introduces the linear, pointed edge of the compression member, which slides parallel to the sharpened edge of the first (higher) cutting blade, and creates a shear force on the pill with the compression member on one side and the first cutting blade on the other, which causes the pill to shear along a line between the compression member and first cutting blade. As the pill shears along that line, the two pieces continue to be forced downward against the sharpened edge of the second cutting blade, even though the compression member engages the pill in a line perpendicular to the second cutting blade.

This can be seen from Figure 3, as well as the description of paragraphs (0024)-(0027). In addition, paragraph (0031) makes it clear that the bottom edge of the plunger which strikes the pill (i.e. the compression member) is pointed, (i.e. reduced in cross section) at the bottom, where it engages the pill directly above the upper, or first blade of the cruciate assembly, thus concentrating the force created by a blow on the plunger cap directly onto that portion of the pill which lies directly above the first blade of the cruciate assembly.

Figure 3 makes it clear that the compression member is constrained to remain parallel to the first blade by means of the guide slots, which also align the pill bed, so that the pill remains fixed relative to the cruciate assembly. In addition, because the plunger guides remain mated to the guide slots, the compression member remains at all times directly above the first blade as it slides toward the pill.

None of the references cited by the Examiner contain a structure similar to the compression member which remains constrained in its travel in a way identical or similar to the present invention.

It is believed that the amendments provided herein traverse the Examiner's objections. Accordingly, the applicant respectfully request the Examiner allow the amended claims presented above.

Respectfully submitted on October 6, 2004 by Attorney for the Applicant.



Mark P. White

Reg. No. 37,757
White & Fudala
57 Bedford St., Suite 103

Lexington, MA 02420
781-863-2041